

Author: Simitian Analyst: Deborah Barrett Bill Number: SB 20Related Bills: \_\_\_\_\_ Telephone: 845-4301 Amended Date: March 4, 2009Attorney: Patrick Kusiak Sponsor: \_\_\_\_\_

**SUBJECT:** State Agencies Notify California Residents Of Any Breach Of Security Of System Or Data/Additional Notification Requirements/If Notification To More Than 500 Residents Must Also Submit Electronically To Attorney General

\_\_\_\_ ANALYSIS NOT REQUIRED of this bill – Not within scope of responsibility of this department.

\_\_\_\_ TECHNICAL BILL – No program or fiscal changes to existing program.

\_\_\_\_ BILL AS AMENDED NO LONGER WITHIN SCOPE of responsibility or program of the department.

\_\_\_\_ TECHNICAL AMENDMENT – No change in previously submitted analysis required.

X Approved position of prior analysis is \_\_\_\_\_.

\_\_\_\_ MINOR AMENDMENT – Remainder of previous analysis of the bill as introduced/amended December 1, 2008 still applies.

\_\_\_\_ MINOR AMENDMENT – No change in approved position of \_\_\_\_\_.

\_\_\_\_ See Comments below

X OTHER – See comments below.

**COMMENTS:**

This bill would do the following:

- Require state agencies to provide specific information when notifying California residents of a breach of security of a system containing personal information,
- Require state agencies to provide a security breach notification electronically to the Attorney General when a single breach involves more than 500 California residents, and
- Require state agencies to provide the Office of Information Security and Privacy Protection (OISPP) with a security breach notification when substitute notice is used.

The March 4, 2009, amendments made non-substantive technical changes to the language of the bill. The department's analysis of the bill as introduced December 1, 2008, still applies.

Board Position:

____ S	____ NA	____ NP
____ SA	____ O	<u>X</u> NAR
____ N	____ OUA	____ PENDING

Franchise Tax Board Staff

Date

Deborah Barrett

03/19/09